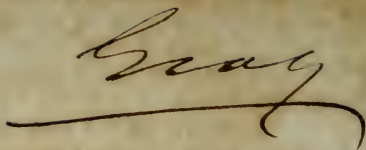


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REPORT

OF THE

COMMITTEE ON ELECTIONS.

The Committee to whom was referred a communication from the Governor of Virginia in reference to the vacancy in the delegation from that State, occasioned by the resignation of A. G. Jenkins, a member of this House, with other papers pertaining thereto, have had the same under consideration, and ask leave to report:

By section 4, article 1, of the Constitution, it is provided that, "the times, place and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any time, by law, make or alter such regulations except as to the times and places of choosing Senators."

By the fourth clause of the 2d section of the same article, it is declared that, "where vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies."

It is obvious from these provisions that the Constitution contemplates the enactment by the States of the necessary laws for securing a full representation in this body. Not only is this duty prescribed to their Legislatures, but the Executive authority of the States is required to be exercised in giving them effect when vacancies occur. It has been the practice under similar clauses in the Constitution of the United States, to leave with the several States the duty of making such provisions as each may deem expedient for the election of their Representatives. The Committee do not deem it proper to depart from this usage and assume powers not heretofore exercised and not required to be exercised by an existing emergency. The power of the State of Virginia over the subject is full and complete, and defects in the existing law may be remedied by the approaching called session of the General Assembly.

The Committee therefore recommend no further action in the premises except the adoption of the accompanying resolutions :

Resolved, That, in the opinion of the House, ample power rests with the several States to provide for securing a full representation, and that no legislation on the part of Congress is necessary.

Resolved, That the Speaker communicate to the Governor of Virginia a copy of the report and of these resolutions.

RICHMOND, VA., August, 5, 1862.

HON. THOMAS S. BOCOCK,

Speaker of the House of Representatives :

SIR : I hereby notify your honorable body that I have this day sent to the Governor of Virginia my resignation as a member of the same.

ALBERT G. JENKINS.

EXECUTIVE DEPARTMENT, }
RICHMOND, VIRGINIA, August 18th, 1862. }

HON. THOMAS S. BOCOCK,

Speaker of the House of Representatives, C. S. A. :

Hon. A. G. Jenkins having resigned his membership in the First Congress of the permanent Government of the Confederate States, the counties composing the district being in possession of the public enemy, and no provision being made by law for supplying the vacancy under these circumstances, I communicate the letter of resignation to Congress for such action as may be deemed proper.

Respectfully,

JOHN LETCHER.

RICHMOND, VA., August 5, 1862.

HON. JOHN LETCHER,

Governor of Virginia :

SIR : I hereby resign my seat as a member of the First Congress of the permanent Government of the Confederate States.

I have the honor to be,

Very respectfully, yours,

ALBERT G. JENKINS.



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